

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN T. MCWHORTER,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS, *et al.*,

Defendants.

CASE NO. 3:24-cv-05146-KKE-GJL

ORDER GRANTING MOTION TO
PROCEED *IN FORMA PAUPERIS*
AND DIRECTING INSTITUTION
TO CALCULATE, COLLECT, AND
FORWARD PAYMENTS

Plaintiff is a state prisoner proceeding *pro se* in this civil rights action. The Court, having reviewed Plaintiff's Motion to Proceed *In Forma Pauperis* ("IFP"), hereby finds and **ORDERS** as follows:

(1) Plaintiff's declaration indicates he is unable to afford the Court's filing fee or give security therefore. Accordingly, Plaintiff's IFP Motion (Dkt. 1) is **GRANTED**. As set forth below, an initial partial filing fee will be collected, and Plaintiff is thereafter required to make monthly payments of 20 percent of the preceding month's income credited to his account until the full amount of the filing fee is satisfied.

1 (2) Pursuant to 28 U.S.C. § 1915, and Plaintiff's approved IFP Motion, the agency
2 having custody of the above-named Plaintiff is directed to calculate an initial partial filing fee
3 equal to 20 percent of the greater of either: (a) the average monthly deposits to the prisoner's
4 account; or (b) the average monthly balance in the prisoner's account for the 6-month period
5 immediately preceding the date of this Order. The initial partial filing fee should be forwarded to
6 the Clerk of Court as soon as practicable.

7 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having
8 custody of the prisoner is directed to collect and forward payments equal to 20 percent of the
9 prisoner's preceding month's income credited to the prisoner's account. In the event that the
10 monthly payment would reduce the prisoner's account below \$10.00, the agency should collect
11 and forward only that amount which would reduce the prisoner's account to the \$10.00 level.
12 Please note this \$10.00 limit does not apply to the initial partial filing fee described above.
13 Finally, the monthly payments should be collected and forwarded to the Court until the entire
14 filing fee (\$350.00) for this matter has been paid.

15 (3) The Clerk is directed to send a copy of this Order to Plaintiff, to the financial
16 officer of this Court, and to the agency having custody of Plaintiff.

17 Dated this 21st day of October, 2024.

18
19 

20 Grady J. Leupold
21 United States Magistrate Judge
22
23
24